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FORM A

FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

Christopher James McGEE

(Enter above the **FULL** name and inmate number of the plaintiff or plaintiffs in this action)

vs.

COMPLAINT

James Bryson Clements
United States of America
Iowa City Police Department

(Enter above the **FULL** name of each defendant in this action)

(NOTE: If there is more than one plaintiff, the information in parts I and II should be shown for EACH plaintiff by name, using a separate sheet of paper.)

I. Previous Lawsuits:

A. Have you begun other lawsuits in State or Federal Court dealing with the same facts involved in this action or otherwise relating to your imprisonment?
Yes No

B. If your answer to A is Yes, please answer questions 1 thru 7. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same outline.)

1. Parties to this previous lawsuit
Plaintiffs _____ N/A
- Defendants _____ N/A
2. Court (if Federal Court, name the district; if State Court, name the county)
_____ N/A
3. Docket Number _____ N/A
4. Name of Judge to whom the case was assigned _____ N/A
5. Disposition, if known (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____ N/A
6. Approximate date of filing lawsuit _____ N/A
7. Approximate date of disposition _____ N/A

II. Place of Present Confinement 152 S. Kellogg, Galesburg Ill. 61401

- A. Is there a prisoner grievance procedure in this institution?
Yes () No (✓)
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Yes () No (✓)
- C. If your answer is Yes,
 1. What steps did you take?
 2. What was the result?
- D. If your answer is No, explain why not
Not institutional issues / outside jurisdiction
- E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes () No (✓)
- F. If your answer is Yes,
 1. What steps did you take?
 2. What was the result?

III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiff(s), if any.)

A. Name of Plaintiff CHRistopher James M^cGEE

Address Knox County Jail 152 S. Kellogg Galesburg Ill. 61401

B. Additional plaintiffs _____

N/A

(In item C below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant Iowa City Police Department

is employed as Iowa City Police officers

at Johnson County police Department in Iowa City

D. Additional defendants James Bryson Clements

and The United States of America

IV. Jurisdiction

This complaint is brought pursuant to 42 U.S.C. § 1983, and jurisdiction is based on 28 U.S.C. § 1333(c). Plaintiff(s) allege(s) the defendant(s) acted under color of state law with regard to the facts stated in part V of this complaint.

V. Statement of Claim

(state here as briefly as possible the FACTS of your case. You **MUST** state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved (for example, other inmates) and state the date and place of all events. Attach an extra sheet if necessary, and write the heading **PART V CONTINUED** at the top of the sheet. Keep to the facts. Do not give any legal arguments or cite any cases.)

That the Defendants alleged in the Complaint are responsible for Violating Mr. McGEE's Civil rights. Iowa City police Conducted an unlawful and illegal arrest and the Federal agenda Government pursued charges that was dropped due to an illegal arrest in state court. Attorney Christine Boyer failed to raise an issue in Mr. McGEE's proceeding of his Constitutional claims of an illegal arrest. Cont. See pg 5

VI. (State briefly exactly what you want the Court to do for you. Make no legal arguments. **Do not cite cases or statutes.**)

Mr. McGEE Seeks to have Charges dropped and damages of \$20,000,000 Compensation and \$10,000,000 punitive damages

Immediate

Release

VII. Statement Regarding Assistance in Preparing this Complaint

- A. Did any person other than a named plaintiff in this action assist you in preparing this complaint? Yes No
- B. If your answer is Yes name the person who assisted you.
- C. Signature of person who helped prepare complaint.

(Signature) Christopher J. McGee (Date) 7-15-09

VIII. Signature(s) of Plaintiff(s)

Signed the 15 day of July, 09.

(Signature of Plaintiff) Christopher J. McGee

Signatures of additional plaintiffs, if any:

Claims—

On or about July 7, 2007 "the City of Iowa, Iowa city Police Came and made an unlawful Seizure being Christopher James McGEE from the Home of one being 411 Emerald. Officers presented an Search Warrant but Christopher James McGEE Wasn't named in the Search Warrant of Items to be Seized. This Violated Mr. McGEE's rights because the officers didn't have a Warrant per se for Mr. McGEE. § 1983 Complainant is the perfect Subject for illegal or unlawful arrest and Seizure(s). The fourth Amendment protects against warrantless intrusions by the government into areas in which an individual holds a reasonable expectation of privacy.

United States v. Villegas 495 f.3d 761, 767 (7th Cir 2007), Cert. denied 128 Sct 939 (2008). An arrest without a Warrant at a residence is unlawful where there are no exigent circumstances Kirk v. Louisiana 536 U.S. 635, 637 (2002) (citing Payton v. New York 445 U.S. 573, 590 (1980) Evans v. Lopez No. 98-c-2077, 2000 WL 631357 (N.D. Ill May 12, 2000). An overnight guest
(b)(5)

At another's house has a reasonable expectation of privacy and therefore has the same right as a person in his or her own home. Minnesota v. Olson 495 US 91, 96-97 (1990)

Here, the record is clear that Mr. McGEE was taken from a private residence without a warrant. There were no exigent circumstances to permit such a warrantless seizure. After he was illegally seized, Mr. McGEE was improperly detained and illegally tape recorded without the arresting officer(s) who seized without probable cause ever reading him his rights. To this day no one ever read Mr. McGEE his Miranda warning after being taken from a private residence. It would be improper to say that someone would have read him such Miranda warning when he wasn't the sole subject of the search on July 7, 2007.

The police (city Police) the defendants did not have probable cause to arrest Mr. McGEE for controlled substance or for any other offense.

When a person's Four and Fourteenth Amendments rights against illegal search and seizure without probable cause are violated all evidence obtained by such an unlawful seizure is inadmissible. Davis v. Mississippi 394 US 721, 724 (1969) (citing Mapp v. Ohio 367 US 643, 655 (1961)). Mr. McGEE was illegally photographed, fingerprinted, and tape recorded thus Mr. McGEE's trial was tainted by the use of inadmissible evidence against him and his Constitutional rights were violated. Mr. McGEE

has shown that the defendant(s) Iowa City police are responsible for the actions, Unlawful Seizure and Illegal arrest. Mr. McGEE also brings his Attorney to the forefront of the § 1983 § 1985 because he was placed on notice and has failed to address Mr. McGEE's unlawful arrest.

Mr. McGEE Seeks to have Charges dropped and damages of \$20,000,000⁰⁰ Compensation and \$10,000,000⁰⁰ punitive damages

Immediate Release

Notice of filing

Please take notice

that a Civil Rights

§ 1983 § 1985

IS filed by being

Sent on July 15th 2009

Mailbox rule to District

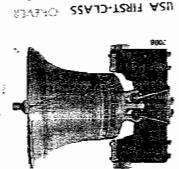
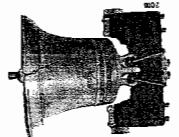
Court of Iowa

Southern Iowa

by:

Christopher J. McGee

CHRISTOPHER MCGEE
KICKAPOO COUNTY ENFORCEMENT CENTER
NOX COUNTY ATTORNEY
SP5 BELLOGG ST.
ALESBURG, IA 51401
Gale Sbtr 81401 61401



POSTAGE PAID
FIRST CLASS MAIL

RECORDED MAIL
POSTAGE PAID
FIRST CLASS MAIL

TO: Clerk US District Court
United States Courthouse Ste. 150
Federal Building
131 East 4th Street
Davenport Iowa 52801

(Legal mail)
LEGAL

MAIL